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C O N F I D E N T I A L SECTION 01 OF 04 KINSHASA 000375

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TAGS: [PGOV](#) [PREL](#) [KPKO](#) [ASEC](#) [MOPS](#) [CG](#)

SUBJECT: IN THE AFTERMATH OF THE FIGHTING

Classified By: Classified by Ambassador Roger Meece. Reason 1.4 (b/d)

¶1. (C) Summary: Forces loyal to former Vice President Bemba were defeated in March 22 - 23 violence, and no longer constitute a fighting force. There is a general consensus that numerous political options were not exhausted prior to the fighting, with many in the Kabila camp spoiling for a fight. The clashes represented a setback to the DRC's path to stability, and there is considerable political fallout internally and in terms of relations with international partners. The issue of what to do with Bemba, currently in a South African Embassy compound, is an urgent priority, and the related status of opposition parties and activity in the DRC is open to question. Kabila's camp feels victorious, which likely feeds unhelpful tendencies to more authoritarian behavior. Decisions are needed on how to handle former Bemba combatants being held by MONUC and the FARDC. MONUC's overall performance and status is also the object of growing post-event debate and criticism. Heads of mission of key embassies, notably to include EU Ambassadors, and the P3 plus 2 group (France, U.K., U.S. plus South Africa and Belgium, with MONUC) have been working to coordinate activities and positions, including a probable request for a joint meeting with Kabila. Our general objective needs to be to chart a course forward that aims toward calming the currently charged political atmosphere, and recovering lost ground leading toward democratic government. End summary.

Short But Intense - and Avoidable - Fighting

¶2. (SBU) The Gombe district of Kinshasa saw heavy fighting, primarily taking place March 22 - 23, between forces loyal to former Vice President Jean-Pierre Bemba and those loyal to the government. Long-standing tensions between Bemba and President Kabila and their respective forces provided the context for these clashes, fed by provocative behavior from both sides. The government, for example, had issued a supposed March 15 "ultimatum" for Bemba security forces, estimated to number several hundred in the capital, to disband. Bemba forces for their part had engaged in aggressive behavior in an apparent attempt to enlarge their geographic zone of influence.

¶3. (C) Within this context, a number of initiatives had been taken, as had been the case during past similar episodes, to address the problems. These efforts in particular included MONUC engagement to bring the two sides together, to advance specific proposals for disarmament or integration into the FARDC of Bemba's troops, and to reinforce long-standing MONUC presence around Bemba's residence. In the days immediately preceding the fighting, for example, Kabila had

told SRSB Swing that he was willing to enter into discussions (read negotiations) regarding the size, composition, and other conditions of Bemba's permanent protection, and MONUC discussions were underway with Bemba toward this end. In the midst of these activities, the fighting started. Both sides have accused the other of firing first, and asserted their own forces reacted in self-defense to attacks from the other. It is difficult if not impossible to ascertain the real facts. Both principals probably believe still their own version of events.

¶4. (C) There is a general consensus among Kinshasa diplomats that both sides were too ready to engage in threatening behavior if not active fighting, and certainly that political options were far from exhausted when fighting broke out. Certainly there has been sentiment since last August among hard-liners in the Kabila camp that the job of forcible disarmament of Bemba's soldiers should be "completed" as soon as possible regardless of consequences. Bemba may have believed that he could inspire a general uprising in Kinshasa that could render Kinshasa ungovernable by Kabila.

¶5. (C) The end result of the fighting was the defeat of Bemba's forces. While in the early going, Bemba's soldiers appeared to be doing well, reinforcements, the overall numerical superiority and the superior equipment, including armor, of the forces available to the government probably made the result inevitable. During the fighting, it seemed apparent that neither side had particularly good control of their troops producing larger scale casualties, looting, and general violence than would have been the case with more professional forces. By Saturday, Bemba forces were killed, captured, turning themselves in to MONUC, fleeing, or simply abandoning uniforms and maybe arms to blend into the

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community. FARDC forces reportedly took some prisoners, although apparently Republican Guard (GR, formerly known as GSSP) troops took none. By early Saturday, it was clear that government forces were firmly in control, and more-or-less normal activity in Kinshasa's central Gombe area started to resume.

#### Casualty Count

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¶6. (SBU) There are at this point no reliable figures regarding final casualty figures. During the weekend, the Catholic NGO CARITAS estimated that 150 had been killed, a figure picked up by the BBC and other news organizations. Other figures have been estimated by MONUC, GDRC, and other sources. During a March 27 press conference by EU Ambassadors, responding to a specific question, the Belgian Charge stated that it was difficult to provide a reliable estimate of casualties, but the German Ambassador indicated the he believed final figures might be in the "200 - 600" range. In fact, at this point at least, nobody really knows.

¶7. (U) There were no reports of casualties among American citizens, nor of U.S. Mission employees.

#### Bemba's Status

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¶8. (C) President Kabila and key advisors, and Prime Minister Gizenga and his chief counselor have said publicly and privately that they strongly believe Bemba should be subject to a public trial for his alleged crimes. Bemba has asserted that he will never agree to being brought before a Congolese court, and that he could not receive justice in such a setting. Somewhat confusing press accounts have reported that the GDRC has already issued an arrest warrant for Bemba. In fact, such a warrant could not legally be issued yet, as Bemba is currently covered under immunity by his status as a Senator. Senate action lifting this immunity would be required. Such a decision requires a two-thirds majority

vote in the Senate, and certainly no such action has yet been taken.

¶9. (C) Per numerous discussion among chiefs of mission, there is a general agreement that Bemba's credibility as a responsible political leader is gone, and that he has no political role in the DRC in the foreseeable future. Action regarding Bemba, however, should be based on what will best serve to calm the current charged political atmosphere, and minimize risk of any further disturbances or unrest. It is not clear that the South African government has arrived at a firm policy decision regarding Bemba. Septel deals with Bemba's status and potential options.

Kabila, and Political Space  
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¶10. (C) With limited exceptions, Kabila has made himself relatively inaccessible to western Ambassadors. He did hold one meeting with EU Special Envoy Roland van der Geer March 26 (note: successor to Aldo Ajello), but only at the last minute and apparently after a somewhat contentious exchange between the German Ambassador (representing the EU presidency) and key Kabila advisor Marcellin Cishambo. Contacts with Kabila advisors and various public and private comments, however, suggest that there is a strong sense of self-satisfaction in the Kabila camp, a sense of victory, with relatively little regard for the price in human lives and other damage that has been incurred to defeat their nemesis Bemba. In a March 26 press conference, Kabila took a relatively hard line in response to a number of questions, including troubling comments such as his determination to "crush" irresponsible political opposition. Other problematic signs of growing hard-line sentiment include the fact that Bemba/MLC electronic media have been taken off the air with no public statement or explanation, and a Saturday Council of Ministers statement that the media environment needs to be "cleaned up."

¶11. (C) It does seem clear that Kabila camp is aware of criticism from various governments, including a very critical public statement from EU Ambassadors issued March 27, and widespread sentiment that the government all-out action was premature to neutralize by force Bemba's soldiers. Some European Ambassadors, notably British Ambassador Andy Sparkes, have indicated that their respective capitals are

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reviewing the status of their engagement and programs with the GDRC. Events and GDRC actions in coming weeks will be important to determine the outcome of these reported reviews.

There is widespread concern about a tendency in the Kabila camp, possibly to include Kabila himself, towards more authoritarian tendencies in the wake of the "apparent victory" over Bemba.

¶12. (C) P3 plus 2 heads of missions plus SRSG Swing have agreed that it would useful to present a joint demarche to President Kabila regarding the current situation. The main points of the demarche would be to convey essentially the following points:

- a. We share a widespread concern over the recent violence, which represents a setback for the Congo;
- b. It is a very bad signal that one of the first concrete actions following installation of a new government is the onset of violent conflict, conflict that could potentially have been avoided;
- c. Bemba has lost all credibility by his intransigence, which among other things impeded achievable peaceful settlement of the question of his personal security guard;
- d. The Head of State unfortunately reestablished order at the high cost of human lives and substantial material damage; government forces were characterized by indiscipline and lack of efficiency producing further problems;
- e. The international community, having invested substantially to support establishment of a stable democracy,

sees that structure now under threat;

f. The DRC has suffered damage to its image, further hampering the country's reconstruction;

g. We nevertheless renew our determination to pursue efforts to reinforce democracy in the Congo to benefit the Congolese people, and to support urgently needed reconciliation; and

h. After having put aside the threat of an armed opposition, it is important that those wanting to conduct a democratic, constructive, and peaceful opposition be accorded the opportunity and political space to be able to do so. In this regard, a pending law regarding status of the opposition in the parliament is important, as well as treatment of prisoners or others who renounce the use of arms, and general acts to encourage a calm and productive political atmosphere.

¶13. (C) It was further agreed that the timing of the desired demarche is important, but specifically it should not be attempted immediately while urgent questions are pending regarding Jean-Pierre Bemba's status. Early next week may be a good time target.

#### Former Bemba Combatants

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¶14. (C) MONUC is holding around 140 former Bemba combatants who presented their arms and themselves to MONUC during the fighting, plus a larger number of dependents, around 335 people total. In addition, the FARDC reportedly has around 100 prisoners, although the GR apparently took none. In addition, substantial numbers of Bemba fighters are reportedly turning themselves in to GDRC or FARDC authorities in Equateur province. There is widespread concern as to how these former Bemba combatants are to be handled. MONUC Force Commander General Gaye told the P3 plus 2 Ambassadors/Charges that FARDC Chief of Staff Kisempia himself told Gaye not to transfer the Bemba soldiers to Camp Kokolo as Kisempia was fearful he could not control the troops there, with the attendant risks that the Bemba troops could be killed.

¶15. (C) SRSG Swing and Gaye told the P3 plus 2 heads of missions March 27 that MONUC had been making plans to transfer the people they held to GDRC custody on Thursday, March 29, with involvement of the ICRC, possibly one or more NGO's, and written assurances from Kisempia and Defense Minister Chikez Diemu regarding treatment. All of the Ambassadors/Charges expressed concern about this prospect, feeling that emotions are still running too high, and FARDC discipline is too weak, to make this a safe option. MONUC was encouraged to at minimum delay transfer of any people expressing fear for their own safety. Gaye indicated he understood the point, but will discuss the matter further with Kisempia. There are also some specific cases that may need special treatment, for example senior officers or others likely to be prosecuted by FARDC military tribunals. A particularly notorious officer, for example, named Col "Patrick" implicated in numerous past cases of alleged kidnapping, torture, and other crimes, is apparently among

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those being held by MONUC.

#### MONUC - Inevitable Post-Event Criticism

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¶16. (C) There is widespread criticism of MONUC's performance during the fighting. This centers primarily on perceived delays of MONUC to come to the rescue of threatened individuals or groups, and/or MONUC's lack of active engagement with the belligerent forces. We are not well positioned to offer a critique of MONUC's performance, and are also well aware that the number of troops, APC's, and other resources available to MONUC in Kinshasa was and is limited. Nonetheless, this will undoubtedly be a topic that requires further study and explanation, and we assume will surface during upcoming UNSC discussions over MONUC's

renewal. Chiefs of Mission of key embassies in Kinshasa agree that it is important not to engage in overt public criticism of MONUC that would undermine its general credibility in the DRC. MONUC has and continues to serve a vital function in terms of basic security, even if it is not a perfect institution.

#### USG Actions and Themes

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¶17. (C) In contacts with key officials here in the government, and with those representing the opposition, we are stressing our deep disappointment over the recent violence, concern of the threat this violence poses to the very promising nascent DRC democracy, and the need to focus on ways to regain the lost ground. It is obviously critical for government forces to avoid engaging in an organized program of recrimination. Going further, it is important and in the government's own interests to bolster the position of opposition "moderates" willing to participate in constructive political activity. As MLC Secretary General Mwamba asked in a private meeting with the Ambassador and PolCouns, is Kabila's problem with Bemba, or with the MLC? A similarly constructive attitude and actions must be forthcoming as well, however, from the opposition, and we are working to convey strongly that message as well.

¶18. (C) Whoever fired the first shots, there is widespread feeling that both the government (essentially those in the Presidency) and Bemba bear a heavy responsibility for the general atmosphere and specific actions that produced the crisis. At least some donors seem to be looking at their previously defined programs and promised support to determine if changes should be made. This seems appropriate, and clearly the statements, actions, and overall apparent attitude of the government in the coming days and weeks will be critical to determine whether the GDRC resumes a path toward democratic government with opportunity for all, or slips toward de facto authoritarian tendencies. As reflected in the points above, including the prospective P3 plus 2 (plus MONUC) demarche, we believe it important to underscore concern about the apparent readiness to engage in military action, but also do everything possible to encourage democratic development. There is a balance to be maintained, and this will presumably require ongoing review and adjustment pending developments over the next few weeks at least.

¶19. (C) The immediate urgent objective is to reduce tensions and achieve a calmer political environment. We believe Bemba's departure from the DRC would be helpful to that end, as well as conciliatory gestures from the GDRC, constructive messages from other members of the political opposition, and humane treatment of former Bemba combatants and dependents. More broadly, it is important to get things back on track to help bring the kind of democratic and open government to the Congolese people which they deserve, especially following the very successful 2006 elections.

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